



## **CITY OF ISSAQUAH DEVELOPMENT SERVICES DEPARTMENT**

STAFF REPORT – 10 May 2013

- File No.:** SDP13-00001
- Project:** Lakeside Apartments, Steep Slope Hazard Critical Area Study
- Applicant:** Mr. Richard Rawlings  
Polygon NW Company  
PO Box 1349  
Bellevue, WA 98009
- Request:** To approve the Steep Slope Hazard Critical Area Study in order to re-grade a steep slope within the proposed project site and reduce steep slope critical area buffer impacting the project site, known as the Lakeside Apartments. The proposed steep slope buffer reduction is from 50 feet to 10 feet as measured from the crest of the re-graded steep slope.
- Location:** Lakeside is generally located north of the easterly extension of SE 60<sup>th</sup> St between the 1000 and 1100 Blocks.
- Decision:** The DSD approves the Critical Area study subject to Conditions noted below. Approval with Conditions of this application is based on the SDP13-00001 application information submitted:
- Steep Slope Assessment and Setback Reduction (Geotechnical Critical Areas Study), Lakeside Apartments – Highlands Drive NE, prepared by Earth Solutions NW, Inc. – updated
  - Lakeside Apartments Preliminary Grading and Utility Plan, by Triad Associates.
  - Lakeside Apartments Preliminary Landscaping Plan, by Triad Associates.

The Responsible Official for the Lakeside Development Agreement hereby makes the following Findings of Fact based upon information provided in the application submittal as well as that provided to the City by qualified professionals and interested parties; and, Conclusions of Law based upon the Development Agreement, the Lakeside Development Environment Impact Statement (EIS), and other Municipal policies, plans, rules and regulations.

### **FINDINGS OF FACT:**

1. This request has been reviewed against the development requirements in City Code as well as those in the Lakeside Development Agreement.

2. This Notice of Decision is based on geological information provided by the applicant.
3. The proposed grading activity will modify the crest of steep slope within the development; refer to the Preliminary Grading and Utility Plan and Cross Section 1 Detail. The aforementioned identifies the proposed wall alignment.
4. The remaining critical area (steep slope and buffer) shall be protected and placed in a critical areas tract per the provisions of Appendix G.
5. The Lakeside Development Agreement Appendix G, Section 8C *Steep Slopes, Removal* provides for alteration or elimination of steep slopes through approved grading activities subject to the “approval of a Critical Area Study and grading plan. Removal may include reducing (‘laying-back’) the top of the slope so that the resultant slope is less than 40% or lowering the grade at the top of the slope so that the resultant rise is less than 20 feet high or filling the bottom of the slope so that the resultant rise is less than 20 feet high.”
6. A reduction of the buffer may be reduced to no less than 10-feet subject to an approved Critical Area Study and a 15-foot Building Setback Line (BSBL) such that in no case shall an occupied building be no closer than 25 feet (including buffer) to the crest of a steep slope or crest of altered steep slope.
7. The EIS MDNS SEP12-00001 of the Hillside Village Rezone and Appendix P of the Lakeside Development Agreement requires that, “all disturbed areas will be restored with native plants and guaranteed through a 3-year establishment period.”
8. Approval of this request will not increase the number of Equivalent Residential Units (ERUs) allowed within the project envelope.
9. This is a non-project action; additional City approvals will be required prior to commencement of construction activities in this area.

## **CONCLUSIONS OF LAW:**

Staff has concluded that the Critical Areas Study for the Lakeside Apartments Steep Slope Hazard may be approved with conditions. This decision is based upon the information contained in the submitted study and the recommendations provided to the DSD by qualified professionals and other interested parties. The determination is supported by the goals found in the Development Agreement for the development of the project as well as the City of Issaquah Comprehensive Plan. These goals are listed below:

The environmental features identified as “all known non-exempt critical areas located within and proximate to the Project boundaries” which require regulation by the City are: streams, wetlands, steep slopes, and protective buffers (Appendix G, Section 3).

It is the intent of the City to create a balanced community whose vision includes:

- A. Environmental protection and preservation;
- B. Diversified, economic growth which has been planned and which is compatible with the vision of the community; and,
- C. Overall improvement of the quality of life for the residents of Issaquah.

(Appendix G, Section 2).

The Critical Areas Development Standards (Appendix G, Section 9) accomplish the purpose of protecting environmentally critical areas in the Lakeside development project. By regulating development and alterations to critical areas, the Standards seek to:

- Protect members of the public and public resources and facilities from injury, loss of life, property damage or financial losses due to flooding, erosion, landslides and seismic events, soil subsidence and steep slope failures;
- Protect unique, fragile and valuable elements of the environmental including wildlife and its habitat;
- Mitigate unavoidable impacts to environmentally critical areas by regulating alterations in critical areas;
- Provide City officials with sufficient information to protect critical areas; and
- Implement the policies of the State Environmental Policy Act, Chapter 43.21C RCW, Issaquah Municipal Code, City of Issaquah Comprehensive Plan (ICP) and Lakeside Development Agreement.

Implement the critical area regulations by focusing future growth in the following: (ICP 1.1.10)

1.1.10.1 areas with no or minimal environmentally critical areas;

1.1.10.2 vacant platted lots in areas with existing public facilities;

1.1.10.3 areas where infill and redevelopment can occur with less environmental impacts due to the degree of existing development

Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner (ICP GMAT-2).

## **CONDITIONS:**

The Responsible Official for this proposal has determined that this action falls under the provisions of the Lakeside Development EIS and it does not have a probable, significant adverse impact on the environment, and that it is consistent with the intent of the Lakeside Development Agreement and other applicable City codes, only if the following conditions are met.

1. The crest of the re-graded steep slope shall be defined as the point at which the slope remains equal to or in excess of forty (40) percent. A 10-foot buffer from the crest of slope and a 15-foot BSBL shall apply.
2. A landscape re-vegetation plan shall be submitted for the 10-foot buffer after grading to establish the crest of slope. The area shall be replanted with native vegetation including trees, accepted and bonded for maintenance prior to issuing a Certificate of Occupancy for units T7 and T9. The bond shall be for a period of 3 years during the establishment period.
3. The wall shall be constructed outside the 10-foot buffer and the applicant shall provide a geotechnical certification that the construction of the wall met the recommendations of the geotechnical report submitted for this Critical Area Study and the conditions herein.
4. The foundation of the wall shall be such that it is located below the slip plane of the steep slope as defined in the subject Critical Area Study.
5. The following shall be completed prior to the issuance of a building permit for structures within the altered steep slopes along the perimeter or within 50 feet of the unaltered steep slope:
  - a. The applicant shall establish a mechanism that is acceptable to the Responsible Official which notifies the all future buyers of the lot that the steep slope buffer was reduced and the

development has occurred within 50 feet of the steep slope or the steep slope has been eliminated (e.g. notice on title).

- b. The applicant shall execute an agreement on a form approved by the City Attorney, which indemnifies and holds the City harmless for development within 50 feet of the steep slope or where the steep slope has been eliminated.

This Decision is issued as permitted through Appendix "G" - Critical Area Regulations of the Lakeside Development Agreement. This decision was made after the review of a completed Critical Areas Study and other information on file with the City. This information is available to the public on the City's Website consistent with the provisions of the Lakeside Development Agreement.

RESPONSIBLE OFFICIAL:  
POSITION/TITLE:

Doug Schlepp, P.E.  
Land Development Services, Project Manager  
Development Services Department



5/10/13

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DATE ISSUED:

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SIGNATURE:

Attachments

Vicinity Map  
Preliminary Grading and Utility Plan

Cc:

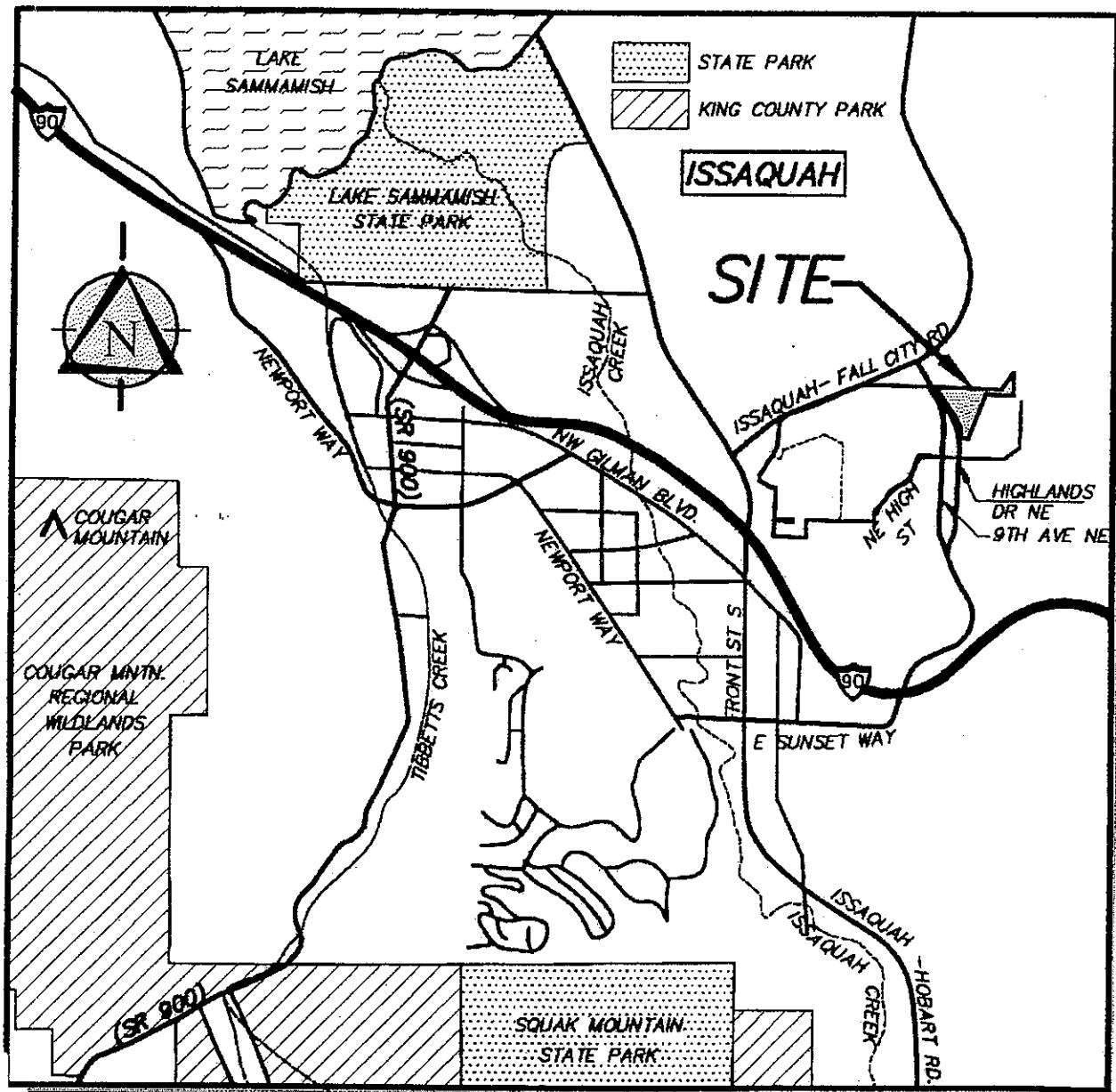
Richard Rawlings, Polygon NW Company  
Lucy Sloman, DSD  
Peter Rosen, DSD  
File

Jerry Lind , DSD  
Tom Reithner, Building Official  
Dan Ervin, DSD

# VICINITY MAP

## Lakeside Apartments

### Neighborhoods A1 and A2, Hillside Village





12112 115th Ave. NE  
Kirkland, WA 98034-6929  
425.821.8448  
425.821.3481 fax  
800.488.0756 toll free  
www.triadassociates.net

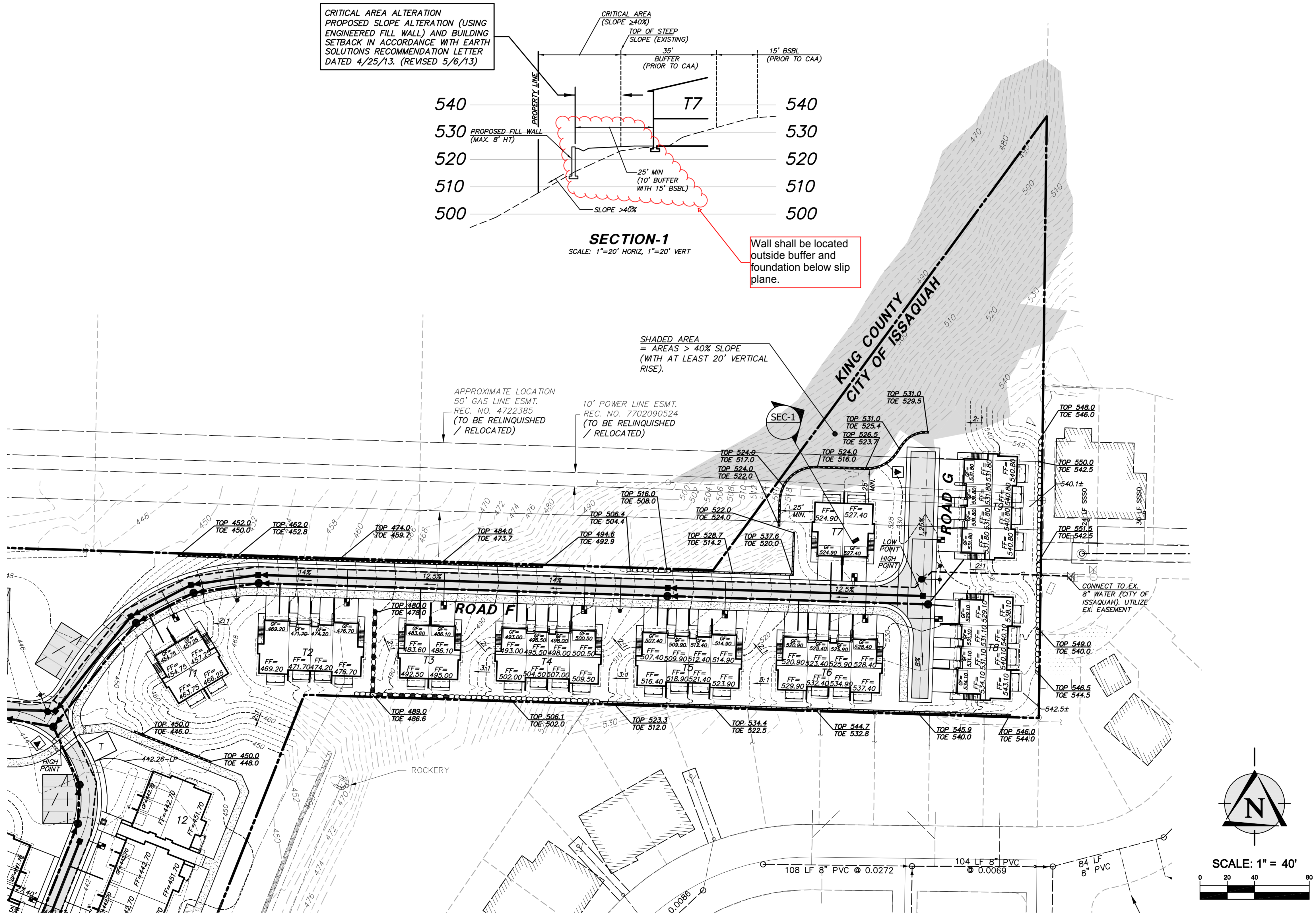
Land Development Consultants

PRELIMINARY GRADING AND UTILITY PLAN

POLYGON NORTHWEST, CO.  
**LAKESIDE APARTMENTS**

WASHINGTON

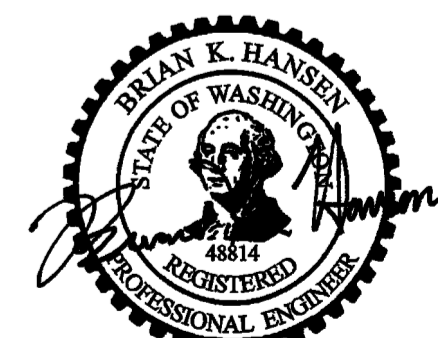
CITY OF ISSAQUAH



NO.	DATE	REVISION	BY	CHK
1	4/25/13	ADDED CRITICAL AREA ALTERATION SECTION	DAW	RAJ
2	5/2/13	REVISED CRITICAL AREA ALTERATION SECTION	DAW	RAJ

RICHARD A. TOMKINS, PE  
PROJECT MANAGER  
MARK S. HARRISON, PLS  
PROJECT SURVEYOR  
BRYAN K. HANSEN, PE  
PROJECT ENGINEER  
DENISE LUTIN, PLA  
PROJECT LANDSCAPE ARCHITECT  
FIRST SUBMITTAL DATE: 3/4/13  
SCALE: HORIZ.: 1"=40' VERT.: NA

**PRELIMINARY**



5/3/13

STAMP NOT VALID  
UNLESS SIGNED AND DATED

JOB NUMBER **12-122**

SHEET NUMBER **C4 OF 15**